

MEMORANDUM AGREEMENT

THIS AGREEMENT, entered into this 9th day of December, 2014, by and between the CITY OF GUNNISON, a Colorado home-rule municipality, existing under the laws of the State of Colorado, hereinafter called "CITY", and GUNNISON COUNTY, hereinafter called "COUNTY", WITNESSETH:

WHEREAS, CITY believes the Gunnison Whitewater Park is a unique asset and a proven valuable amenity to the Gunnison Valley and the Western Slope of Colorado; and

WHEREAS, the creation of the Gunnison Whitewater Park and its recreational uses helped secure a Recreational Inflow Water Right for the Gunnison River Basin ranging from 270 cfs to 1200 cfs; and

WHEREAS, in the Spring of 2013, local boaters and COUNTY staff identified several potential structural issues with two of the existing whitewater features at the Gunnison Whitewater Park; and

WHEREAS, CITY believes it to be in the interest of the citizens of the City of Gunnison for CITY to contract for COUNTY to perform certain repairs to the Gunnison Whitewater Park; and

WHEREAS, GUNNISON has budgeted certain funds for said services to be provided in the agreed time period; and

WHEREAS, on February 11, 2014, City Council approved a motion to expend \$3,000 from Economic Development as a grant match in support of the Gunnison County Whitewater Park Improvements Great Outdoors Colorado Grant application.

NOW, THEREFORE, the parties hereto, intending to be legally bound hereby, for and in consideration of the mutual covenants contained herein, agree as follows:

1. COUNTY agrees to repair, stabilize and/or replace features 2 and 3 in the Gunnison Whitewater Park
2. COUNTY agrees to:

- (a) demonstrate financial support (both cash and in-kind) from other resources
(exclusive of the City of Gunnison),
- (b) acknowledge the financial support of the City of Gunnison in advertising and
promotional literature,
- 3. GUNNISON hereby agrees to provide the funds previously appropriated and
budgeted in the amount of Three-Thousand and no/100 Dollars (\$3000.00) to
COUNT within thirty (30) days of execution of this agreement and execution of
the Great Outdoors Colorado Grant for the Gunnison Whitewater Park.
- 4. COUNTY agrees to provide GUNNISON with a synopsis of the to-date programs
accomplished during the term of this agreement, and in no event, later than
December 31, 2015.
- 5. This written agreement constitutes the only expressed or implied understanding
between GUNNISON and COUNTY in regards to the Gunnison Whitewater
Park, respectively.
- 6. This agreement shall be construed according to the laws of the State of Colorado.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day
and year first above written.

CITY OF GUNNISON, a Colorado
home-rule municipality

ATTEST:

By _____
Robert E. Drexel
Mayor

Gail A. Davidson
City Clerk

GUNNISON COUNTY

By _____